

**INSTRUCTIONS FOR
HANDLING AND MARKETING OF PERISHABLE COMMODITIES APPLICATION
FORM NO. RPC-400**

In order to obtain a Handling and Marketing of Perishable Commodities (HMPC) License, you must submit a complete signed application along with the appropriate fees. The license will be issued to the name appearing under **Section B** of this application. This license is for a business or individuals who handle, sell or deal in Texas-grown fruit and vegetables. The license will expire one year from the date of issuance unless canceled or suspended.

SECTION A

1. LICENSE TYPE

Please select the type of license for which you wish to apply.

General License

Required of all persons who buy for resale, sell, offer for sale, process, broker, or ship for the purpose of selling perishable commodities grown in this state; purchase on credit; take possession for consignment or handling on behalf of the producer or owner; take possession for consignment or handling in a manner or under a contract that does not require or result in full payment to the producer, seller, or consignor in United States currency at the time of delivery or taking possession.

Please note that the violation may be subject to other penalties and actions by the Texas Department of Agriculture.

SECTION B

1. TYPE OF APPLICATION

Check the box that identifies the application type. A new business application is an application for a business that has not held a TDA license or is a recently established business. A change of ownership application is an application where a business has been acquired from a previous owner or is an established business changing type (see below). If the most recent license account number is known please indicate in space provided.

2. BUSINESS TYPE

Check the box that identifies your type of business. Once submitted, this information cannot be changed. If you have to change in your business type, a new application will be required.

SECTION B cont.

3. CLIENT INFORMATION

This information will be used to generate your license. Enter the full legal business name as it is registered. If applicable, also enter a Doing-Business-As (DBA) name. For in state businesses (except sole proprietors) a Comptroller Taxpayer ID is required. For out of state business (except sole proprietors) a Federal ID is required.

For sole proprietors applying for this occupational license, a social security number is mandatory and required by Texas Family Code § 231.302. Social security numbers are required to assist in child support enforcement. In the event the applicant does not have a social security number, an affidavit of no social security number (form OGC-001) must be attached and a driver license number or state-issued ID number provided. This form is available on our website www.TexasAgriculture.gov or by mail. Failure to provide a social security number or an affidavit of no social security number will result in rejection of your application and a license will not be issued to you.

SECTION C

1. RESPONSIBLE PERSON INSTRUCTIONS (see form)

2. RESPONSIBLE OFFICER, PARTNER, MANAGER, OR OWNER

Indicate name of person responsible for the business. Enter contact information.

3. RESPONSIBLE PERSON MAILING ADDRESS

Enter mailing address for indicated responsible person. If a web address is available for company please provide (optional).

NOTE: The Person to Contact, named by the business in Section C of this form, is the preferred signatory of this application. That person may be the Responsible Person.

SECTION D

1. PERSON TO CONTACT FOR LICENSE-RELATED MATTERS

Enter the name of a designated person, along with that person's contact information, who can discuss and answer questions about license-related issues.

NOTE: The Person to Contact, named by the business, is the preferred signatory of this application. That person may be the Responsible Person.

All correspondence, licenses, and other documents will be sent to the Person to Contact at the mailing address listed below. If an e-mail address is listed, and e-mail is indicated as the preferred contact method, correspondence will be sent via e-mail.

In addition, the contact employee will receive, through regular mail, a login ID and password to access TDA's internet website. The contact employee will then be able to conduct business related to their assigned license(s) online, including viewing their licenses, making changes to their company information, and renewing their licenses. A business can appoint one contact person to manage online all of the company's licenses.

SECTION D cont.

2. MAILING ADDRESS

Enter the address at which the Person to Contact receives general correspondence

SECTION E

1. FACILITY INFORMATION

Enter facility name. If no facility name is available provide applicant name.

2. PHYSICAL ADDRESS OF LOCATION OF LICENSEE, LICENSED ACTIVITIES or EQUIPMENT

Enter the actual physical street address of the licensee, licensed activities or the equipment, including directions to this location if the address is difficult to locate. Please do not enter a P.O. Box. This information will assist TDA inspectors in locating your business in the event that an inspection is needed

SECTION F

1. OUT-OF-STATE APPLICANTS ONLY

Check either the Texas Secretary of State or the "Other" box and enter the resident agent's contact information. Only fill out the Resident Agent contact information if the Texas Secretary of State box is not checked. If the address provided in section A is out of state, agent information is required before a license can be issued.

SECTION G

1. APPLICANT HISTORY

- Please indicate how long you have been engaged in the produce business in Texas.
- Please indicate in the box provided if you have been previously licensed to handle perishable commodities in this state or by the U.S. Department of Agriculture (USDA).
- If you answered "Yes," you have been previously licensed with this state or USDA, you must indicate in the box provided if any license issued to you has ever been suspended or revoked.
- If you answered that a license has been suspended or revoked you must attach a financial statement with this application and a summary stating when, where and why the license was suspended or revoked.
- Indicate in the box provided whether the applicant or any principal has ever been the licensee, shareholder of more than 25% of the shares, or an officer or director against whom a claim was made under the Produce Recovery Fund.
- If you answered "Yes" to the above question, state the name of the complainant who filed the claim.

SECTION H

NOTE: Texas Department of Agriculture accepts only checks, cashier's checks, or money orders.

General License Fee - \$365

\$115 license fee and \$250 Produce Recovery Fund fee.

A general license holder may apply for the following agent cards:

Buying agent - allows the agent to purchase perishable commodities for the license holder.

Buying Agent Card Fee

\$15 per card

Transporting agent - allows a transporting agent to act for the license holder in the transporting of perishable commodities.

Transporting Agent Card Fee

\$15 per card

To apply for buying or transporting agent cards, please complete Schedule B.

SECTION I

1. SIGNATURE

After reading the summary, print and sign your name, and date the form. Your signature here indicates that you have read the summary and that you are aware of your responsibilities regarding the issuance of the requested license.

SECTION J

Please note that an incomplete application may result in processing delays.

1. CHECKLIST

Check all boxes to verify you have completed the application process and attached/enclosed the necessary items (e.g., payment, reports, schedules, labels, etc).